

BILL NO. S-68-11-15

SPECIAL ORDINANCE NO. S-169-68

AN ORDINANCE approving an Agreement between the City of Fort Wayne, Indiana and MAGNAVOX COMPANY, INC. for construction of Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved October 31, 1968 between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works, and MAGNAVOX COMPANY, INC., for:

Construction of Sanitary Sewer - Beginning at an existing manhole located on the North side of lot numbered 11 in Westmoor Extended Addition; thence Westerly along the North line of said lot 11 a distance of 160+ feet to a proposed manhole; thence Northerly along the West line of Westmoor Extended Addition a distance of 1,070+ feet to a proposed manhole; thence Westerly a distance of 268+ feet to a proposed manhole; thence Northerly a distance of 195+ feet to a proposed manhole located at the Southeast corner of the property now, or formerly owned by C. J. and G. J. Whittaker; thence Westerly along the South line of said Whittaker property a distance of 1,440+ feet to a proposed manhole on the East side of Getz Road; thence Northerly along the East side of Getz Road a distance of 160+ feet to a proposed manhole; thence Westerly in and along a proposed street a distance of 1,107+ feet, terminating at a proposed lift station, Said sewer shall be 10, 15 and 18 inches in diameter, and shall include a metering device, siphon and lift station,

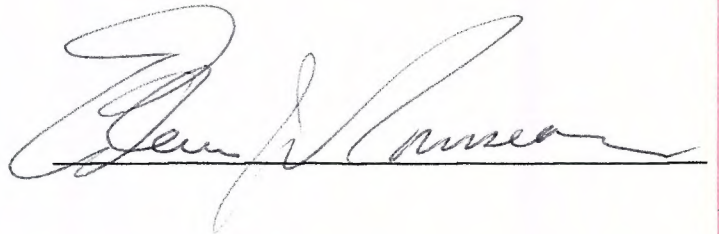
for a total cost of \$90,027.50, of which the City is to pay \$51,027.50, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 2. The Developer, for itself, its successors in title and assigns, waives and releases any and all rights which it may now have or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter

owned by ~~or~~, or hereafter served by said sewer or any extension thereof.

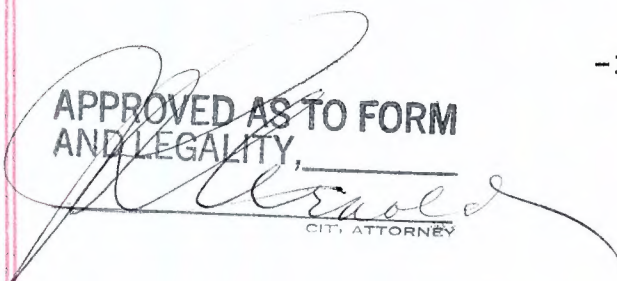
Any owner or owners of land which is now, or hereafter located outside the corporate limits of the City who connect into ~~the~~ sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



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APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Bill No. S-68-11-15

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving an Agreement between the City of Fort Wayne, Indiana and MAGNAVOX COMPANY,
INC., for construction of Sanitary Sewer.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

PHIL A. STEIGERWALD, Vice-Chairman

JOHN NUCKOLS

THOMAS G. ADAMS

WILLIAM K. GEAKE

[Handwritten signatures of Edwin J. Rousseau, Phil A. Steigerwald, John Nuckols, Thomas G. Adams, and William K. Geake]

DATE 11-26-68 CONCURRED IN
JUD G. DONAHOO, CITY CLERK

Read the first time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) City Utilities (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 196____, at _____ o'clock _____ P.M., E.S.T.

Date: 11-12-68

Thad G. Bonahoom
City Clerk

Read the third time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	_____	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 11-26-68

Thad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(~~General~~)(~~Annexation~~)(~~Special~~)(~~Appropriation~~) Ordinance (~~Resolution~~) No 5-169-68

on the 26th day of November, 1968.

ATTEST: (SEAL)

Thad G. Bonahoom
City Clerk

Jack R. Dunifon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1968 at the hour of 10:00 o'clock A.M., E.S.T.

Thad G. Bonahoom
City Clerk

Approved and signed by me this 3rd day of December, 1968 at the hour of 3:48 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor